

2002P01070US
60427-405**REMARKS**

Claims 14-24 stand rejected under 35 U.S.C. §103(a) as being obvious over Applicant's ~~Admitted Prior Art (AAPA) in view of Van Boven (U.S. Patent No. 5,807,062) and further in~~ view of Beare (U.S. Patent No. 2,761,202). The Examiner contends that Van Boven teaches a sleeve member 120 having flange portions 124 and 126 and it would be obvious to provide the compression limiter of AAPA with a flange because of Van Boven. The Examiner admits that neither AAPA nor Van Boven teach a method of forming a compression limiter including the steps of forming a plurality of protrusions along a lower edge of a sheet of stock and roll forming the sheet of stock to form the compression limiter. The Examiner states that Beare teaches a method of forming a split bushing, and it would be obvious to employ the method of Beare in the combination of AAPA and Van Boven. Applicant respectfully disagrees.

Claims 14-24 are not obvious in view of the combination of AAPA, Van Boven and Beare. The sleeve member 120 of Van Boven includes a first substantially radial flange 124 at a first end and a second radial flange 126 at an opposing second end. As shown in Figures 5a and 5b, the radial flange 126 extends continuously around the second end of the sleeve member 120. That is, the flange 126, and therefore the sleeve member 126, are continuous and does not include any breaks. Because the flange 126 of the sleeve member 120 is continuous, it is not possible to roll form the sleeve member 120 of Van Boven as claimed by Applicant. If the sleeve member 120 was roll formed, there would be a break or slot extending from the center of the flange 126 to the edge of the flange 126. As shown in Figures 5a and 5b, the flange 126 includes no breaks or slots. Therefore, the sleeve member 120 cannot be roll formed. It is not possible to roll form the sleeve member 120 of Van Boven, and therefore it is not obvious to roll form the sleeve member 120 of Van Boven. Claims 14-24 are not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Regarding Claim 15, the Examiner states it would have been obvious to one having ordinary skill in the art at the time the invention was made to form a compression limiter from high carbon steel as it is within the general skill of a worker to select a known material on the basis of its suitability for the intended use. The Examiner argues that the use of high carbon steel is within the general skill of a worker, but supplies no evidence. Applicant previously asked for this evidence in the Response filed October 21, 2003. Applicant cannot respond without the

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evidence and thus asks that the holding be dropped or the evidence be supplied. The relevant question is not whether high carbon steel has ever been employed, but rather if it would have been obvious to employ high carbon steel in the claimed invention. Clearly, it would not have been. Claim 15 is not obvious.

Regarding claim 17, the Examiner states that Beare teaches that the edges 26 and 27 of the sheet have been rolled to form a slight gap 44. However, as stated above, it would not be possible to provide a gap in the combination of AAPA and Van Boven. As shown in Figures 5a and 5b of Van Boven, the radial flange 126 extends continuously around the second end of the sleeve member 120, and therefore it is not possible to roll form the sleeve member 120 of Van Boven as claimed by Applicant. If the sleeve member 120 was roll formed, there would be a break or slot extending from the center of the flange 126 to the edge of the flange 126. However, as shown in Figures 5a and 5b, the flange 126 includes no break or slot. It is not possible to roll form the sleeve member 120 of Van Boven, and therefore it not obvious to roll form the sleeve member 120 of Van Boven. Claim 17 is not obvious.

Claim 18 recites that the compression limiter includes a plurality of angled portions located between the body portion of the compression limiter and a plurality of protrusions formed along a lower edge of the compression limiter. In Van Boven, as shown in Figure 1, the angled portion is part of the flange 124 which is located along an upper edge of the sleeve member 120. The angled portion of Van Boven is not located along the lower edge of the sleeve member 120. None of the references teach a compression limiter including a plurality of angled portions located between the body portion of the compression limiter and a plurality of protrusions formed along a lower edge of the compression limiter. Therefore, the combination of the references does not disclose, suggest or teach claim 18. Claim 18 is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 14-24 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

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Respectfully Submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, 703-872-9306 on May 19, 2004.



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